

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 6, 16, 24 and 29 have been amended. Claims 5, 7-12 and 35-37 have been cancelled. Claims 41-43 have been added. Claims 1-4, 6, 13-34 and 38-43 are pending and under consideration.

CLAIM OBJECTION

Claim 37 was objected to because of an informality. Claim 37 has been cancelled.

CLAIM REJECTIONS – 112, First Paragraph

Claims 16-34 were rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement.

Appropriate correction has been made to claim 16 to recite that the first upper supporter rotatably supports an upper part of the first link and the second upper supporter rotatably supports an upper part of the second link. It is respectfully submitted that claim 17-34 are enabled due to their dependence on claim 16.

Withdrawal of the foregoing rejection is requested.

CLAIM REJECTIONS – 112, Second Paragraph

Claims 6, 8, 10, 12 and 29 were rejected under 35 USC 112, second paragraph, as being indefinite.

Regarding claim 6, appropriate correction has been made to provide proper antecedent basis for the “the second spring.”

Regarding claims 8, 10 and 12, these claims have been cancelled.

Regarding claim 29, the base claim of claim 29 has been amended to include proper antecedent basis for “the second spring.”

Withdrawal of the foregoing rejections is requested.

CLAIM REJECTIONS – 102 and 103

Claims 1-4, 13-19, 21-26, 28, 20, 31, 33-37 and 39 were rejected under 35 USC 102(b) as being anticipated by Jung et al. (US 6,822,857) (hereinafter “Jung”).

Claims 5-12, 27, 29, 38 and 40 were rejected under 35 USC 103(a) as being unpatentable over Jung in view of the Applicants Admitted Prior Art (hereinafter “AAPA”).

Independent claim 1 and 16 has been amended to include the subject matter of claim 5. Independent claim 16 has been amended to include the a rotation restrictive part to restrict at least one of a tilting angle of the monitor bracket and a rotation angle of at least one of the first and second angle with respect to the base. In their present form, it is now believed that claims 1 and 16 would be subjected to a 35 USC 103(a) rejection.

Accordingly, in their currently amended form, it is respectfully submitted that Jung is not available as prior art under 35 USC 103(c) as Jung and the present application were commonly owned at the time of the invention of the present application, since Jung only qualifies as a reference under 35 USC 102(e). According to MPEP 706.02(I)(3), this statement alone is sufficient evidence to disqualify Jung from being used in a rejection under 35 USC 103(a) against the claims of the present application. In further accordance with MPEP 706.02(I)(3), the preceding statement is additionally made below under a separate, distinct heading.

Claims 5, 7-12 and 35-37 have been cancelled. It is respectfully submitted that claims 2-4, 6, 13-15, 17-34 and 38-40 are allowable in their present form at least due to their dependence on claims 1 and 16, respectively.

Withdrawal of the foregoing rejection is requested.

STATEMENT REGARDING COMMON OWNERSHIP

Application 10/812,011 and U.S. Patent No. 6,822,857 were, at the time the invention of Application 10/812,011 was made, owned by Samsung Electronics Co., Ltd.

NEW CLAIMS

Claims 41-43 have been added to present an alternate recitation of the present invention. No new matter has been added and entry is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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